



Government of Jammu and Kashmir
Public Works (R&B) Department
(HRM – Section)
Civil Secretariat, Srinagar

Subject: Acceptance of Degrees of Er.Zahoor Ahmad Rather and Arshad Ahmad Handoo, Junior Engineers (Civil) Diploma holders and inclusion of their names in the seniority list of Junior Engineers (Civil) Degree Holders.

Government Order No. **301** –PW(R&B) of 2021

D a t e d : **08-10.** 2021

Whereas, as per provisions of J&K Engineering (Subordinate) Service Recruitment Rules, 1997, a Junior Engineer, Diploma holder after acquiring Degree in relevant branch of Engineering is to be treated as Degree holder for the purpose of seniority from the date of completion/ passing of Degree; and

Whereas, this department has received following cases for acceptance of their Degrees and subsequent inclusion of their names in the seniority list of Junior Engineer (Civil) Degree holders:-

S. No.	Name with Designation	Date of birth	Date of Appointment	Date of enrollment	Date of passing Degree
1.	Zahoor Ahmad Rather, JE (Civil)	02.04.1981	17.09.2009	10.06.2008	18.02.2012
2.	Arshad Ahmad Handoo, JE (Civil)	16.03.1979	16.04.2007	20.05.2011	24.02.2014

Whereas, with regard to issue of equivalence of Degrees obtained from the Institutions/ Universities other than AMIE Kolkatta, the department has taken up the matter with the AICTE for clarifications. In response the AICTE vide their communication No.NWRO/ AICTE/ Verification/ 2020-21 dated 17.03.2021, among others, has clarified as under:-

(Relevant part of clarifications)

Information sought	Reply/ clarifications of AICTE
The Institute of Civil Engineering (India) Ludhiana	The Institute of Civil Engineering (India) Ludhiana are Professional Bodies conducting technical courses and awarding associate membership to the candidates who qualify the examination conducted by them. In this regard, AICTE has issued a circular F.No.13-56/ PC/ ODL-Mode/ AICTE/ 2020

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recognition of certification awarded by Professional Bodies/ Institutions dated 23.11.2020, which is self explanatory. The professional societies recognized by MHRD upto 31.05.2013 were permitted to conduct section A&B exams and treated equivalent to degree upto 31.05.2013 only.

The operative part of Circular No.F.No.13-56/ PG/ ODL-Mode/ AICTE/ 2020 dated 23.11.2020 issued by the AICTE is reproduced as under:-

"..... Thus all those students who were enrolled with these Institutions as per the above MHRD OM with permanent recognition upto 31.05.2013 stand recognized and public notice was issued on 31.10.2017 accordingly. However, AICTE recognition is not course specific and this is only the endorsement of the decision of MHRD in this regard. Hon'ble Supreme Court in its judgement dated 13.08.2019 in the case MA No.2367 of 2018 in Civil Appeal No.17922 of 2017; Institution of Mechanical Engineers V/a State of Punjab & Ors has endorsed the decision of MHRD and AICTE Public Notice issued in 2017.

Extract of Public Notice issued by the AICTE on 31.10.2017 reads as under:-

"..... Accordingly, the Council in its 52nd Emergent Meeting held on August 3, 2017 decided to recognize equivalence for all purposes including Higher Education & Employment to Technical Courses conducted by various Professional Bodies/ Institutions which were duly recognized by MHRD with permanent recognition upto 31st May 2013. Thus all those students who were enrolled with these institutions with permanent recognition upto 31.05.2013, stand recognized.

Whereas, the case was examined in light of above clarifications of AICTE and Degree/ marks certificates of Er.Zahoor Ahmad Rather and Er.Arshad Ahmad Handoo, Junior Engineers (Civil) were forwarded to the concerned University on 09.08.2021 for verification/ genuineness of their Degrees. In turn, the Controller of Examination, Institution of Engineering (India) Ludhiana vide their letter No.ICE (I) E-21/ 37528 dated 11.08.2021 has verified the Degrees acquired by the concerned Engineers.

Whereas, the above incumbents have also produced undertakings in the shape of Affidavits dully attested by the 1st Class Judicial Magistrate, affirming therein that in case any information about their Degrees is found fraudulent/ bogus at any time during service, the same shall be deemed to be cancelled ab-initio and action as warranted under rules shall be initiated against them in terms of J&K Civil Services (Classification, Control & Appeal) Rules, 1956.



Whereas, the case was re-examined and a notice was issued on 25.08.2021 for inviting objections from the members of the cadre who are likely to be affected due to decision of the department. In response, the Chief Engineer, PW(R&B) Kashmir vide his letter dated 21.09.2021 has intimated that Notice was published in newspapers and also has forwarded a copy of anonymous representation filed on the subject which was examined in the department and found devoid of merit.

Whereas, the case was further examined in the department and it has been observed that there is a case to accept their Degrees from the date of passing Degrees and include their names at appropriate place/s in the relevant seniority list of Junior Engineers (Civil) Degree Holders as and when the same is notified afresh and also exclude their names from the seniority list of Junior Engineers (Civil- Diploma holders).

Whereas, the Finance Department has issued circular instructions under endorsement No.A/HACM (2012)-PMO-49 dated 01.02.2019 clarifying therein that the advance increments to degree holders on their appointment as Junior Engineers are available on initial appointment and not at the time of acquiring degree after entry into Government Service as Diploma holder.

Now, therefore, Er.Zahoor Ahmad Rather and Er.Arshad Ahmad Handoo, Junior Engineers (Civil) (Diploma holders) shall henceforth be treated as Junior Engineers (Civil) Degree holders and their name(s) shall be included at appropriate place(s) in the seniority list of Junior Engineers (Civil) Degree Holders as and when the same is notified afresh, besides, their names shall be deemed to be excluded from the seniority list of Junior Engineers (Civil) Diploma holders. However, the pay of these Engineers shall be regulated as per circular instructions issue by the Finance Department under endorsement No.A/HACM (2012)-PMO-49 dated 01.02.2019.

By order of the Government of Jammu & Kashmir.

Sd/-
(Shailendra Kumar) IAS
Principal Secretary to the Government

No.PWD/HRM1/ 40/ 2021-05-PWD R&B

Dated: 08 . 10. 2021

Copy to the:-

1. Principal Secretary to Hon'ble Lieutenant Governor.
2. Joint Secretary (J&K), Ministry of Home Affairs, Government of India.
3. Director, Archives, Archaeology & Museum, J&K, Jammu.
4. Development Commissioner Works, PW(R&B) Department.

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